



### **REMARKS**

Applicant elects to apply the issue fee already paid to the present application when a notice of allowance is granted, but reserves the right to request a refund in the event Applicant chooses to abandon the application.

The above amendments and these remarks are responsive to the Office action dated June 15, 2005. In the Office action, claim 5 was allowed and claims 6, 7 and 9-12 were rejected. By way of the present amendments, claim 7 has been canceled, claims 6, 10, and 12 have been amended, and new claims 15-23 have been added. Applicant respectfully requests reconsideration of the application under 37 C.F.R. § 1.111 and allowance of the pending claims.

### **Allowable Subject Matter**

Applicant thanks the Examiner for the indication that claim 5 is allowed.

### **Claim Rejections - 35 U.S.C. § 112**

The Examiner has rejected claims 7 and 10 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter that the Applicant regards as the invention. Applicant has canceled claim 7 and have amended claim 10 to delete the reference to "mounting structure."

### **Claim Rejections - 35 U.S.C. §§ 102 and 103**

In the Office action, claims 6 and 9-12 were rejected under 35 USC §102(b) as being unpatentable over U.S. Patent No. 2,052,065 (Wilslef), and claim 7 was rejected under 35 U.S.C. §103(a) as being unpatentable over Wilslef in view of U.S. Patent No. 273,191 (Thomas).

Although the Examiner cited U.S. Patent No. 273,191 ("Grimsley"), Applicant believes that the

proper citation is U.S. Patent No. 273,191 (Thomas). In response to these rejections, Applicant has made certain claim amendments to clarify what Applicant regards as his invention.

*Claim 6 and its dependent claims*

Claim 6 has been amended to include limitations somewhat similar to those in claim 7, which claim was not rejected as being anticipated by Wilslef. Amended claim 6 recites a method of securing an animal to a fixed object with a securing device, wherein a lead line is coupled to the animal, wherein the securing device includes a frame having an opening and a retaining member pivotally coupled to the frame such that the retaining member is pivotally movable between an open position and a closed position, and wherein the securing device is mounted to the object. The method comprises inserting a segment of the lead line through the opening, extending the segment of the lead line around the retaining member, and pulling the lead line to bring the lead line into contact with the retaining member and to move the retaining member into a closed position. The surfaces of the frame and retaining member that contact the lead line are substantially free of surface features that impede smooth sliding of the lead line across the surfaces. At least part of the retaining member lead-line-contact surface defines a path configured to urge the lead line toward a periphery of the opening when the lead line is interlaced through the opening and around the retaining member and the lead line is subjected to a tensile load.

In contrast, Wilslef does not disclose that at least part of the retaining member lead-line-contact surface defines a path configured to urge the lead line toward a periphery of the opening when the lead line is interlaced through the opening and around the retaining member and the lead line is subjected to a tensile load. Instead, Wilslef discloses a hitching device including an opening 3 in the front wall of a manger 2 and a latch 6, which is pivotally attached to the manger.

As is shown in Fig. 3, the surface of latch 6 upon which rope 7 rides is parallel to the surface of the front wall of manger 2. In particular, latch 6 will not urge rope 7 toward a periphery of opening 3 when rope 7 is subjected to a tensile load. Rather, due to the rounded ends of opening 3 shown in Fig. 2, the hitching device of Wilslef will tend to maintain rope 7 in the center of opening 3 because rope 7 will tend to seek the shortest distance through opening 3 and around latch 6. The shortest distance through opening 3 and around latch 6 is the path lying in a plane perpendicular to the front wall of manger 2 and passing through the center of opening 3, as generally occupied by rope 7 in Figs. 2 and 3. Thus, in the Wilslef device, rather than being urged toward a periphery of opening 3, rope 7 is maintained in the center of opening 3 when subjected to a tensile load. Accordingly, Wilslef does not disclose that at least part of the retaining member lead-line-contact surface defines a path configured to urge the lead line toward a periphery of the opening when the lead line is interlaced through the opening and around the retaining member and the lead line is subjected to a tensile load.

Regarding Thomas, Thomas also does not disclose that at least part of the retaining member lead-line-contact surface defines a path configured to urge the lead line toward a periphery of the opening when the lead line is interlaced through the opening and around the retaining member and the lead line is subjected to a tensile load. Rather, Thomas discloses a halter clasp including a frame A and a bar D that is pivotally attached to frame A. As shown in Fig. 3, bar D includes a recess that receives the halter and maintains the halter in the central region of bar D and frame A as the halter passes through frame A and over bar D. Thus, rather than being urged toward a periphery of the opening of frame A, the recess maintains the halter in the central region of the opening of frame A, such as when the halter is subjected to a tensile load. Accordingly, Thomas does not disclose that at least part of the retaining member lead-line-contact surface defines a path configured to urge the lead line toward a periphery of the opening

when the lead line is interlaced through the opening and around the retaining member and the lead line is subjected to a tensile load.

Thus, neither Wilslef or Thomas teaches or suggests a path configured to urge the lead line toward a periphery of the opening. Furthermore, if Wilslef were to use a recess as disclosed by Thomas, the recess would simply maintain the lead line in the central region of the opening.

For at least the reasons discussed above, the cited references do not disclose, teach or suggest a device as claimed in amended claim 6. Claim 9 contains further limitations that distinguish the cited references. Accordingly, amended claim 6 and its dependent claims are patentably distinguished from the cited art, and Applicant respectfully requests that the rejections of claims 6 and 9 under 35 U.S.C. § 102 be withdrawn.

Applicant has added new claim 15, which depends from claim 6. Support for new claim 15 can be found throughout the specification as filed and no new matter is added. Applicant believes that claim 6 is now allowable. Therefore, new claim 15 is similarly allowable.

*Claim 10 and its dependent claims*

Amongst other elements, amended claim 10 and dependent claims 11 and 12 recite a method of securing an animal to a fixed object with a securing device via a lead line, wherein the securing device is attached to the object and includes a frame including opposing sides defining a closed perimeter with an opening therethrough, and a retaining member at least partially disposed between the opposing sides of the frame, the method comprising interlacing the lead line through the opening in the frame and around the retaining member, pulling the lead line to frictionally engage the lead line with the frame and the retaining member, and laterally urging the lead line along the retaining member toward the frame in response to a pulling force on the lead line.

In contrast, similarly to the discussion above, neither Wilslef nor Thomas disclose

laterally urging the lead line along the retaining member toward the frame in response to a pulling force on the lead line. Rather, both Wilslef and Thomas disclose maintaining the rope or halter in a position along the retaining member that is aligned with the center of the opening.

For at least the reasons discussed above, the cited references do not disclose, teach or suggest a device as claimed in amended claim 10. Claims 11 and 12 contain further limitations that distinguish the cited references. Accordingly, amended claim 10 and its dependent claims are patentably distinguished from the cited art, and Applicant respectfully requests that the rejections of claims 10-12 under 35 U.S.C. § 102 be withdrawn.

Applicant has added new claims 16 and 17, which depend from claim 10. Support for the new claims can be found throughout the specification as filed and no new matter is added. Applicant believes that claim 10 is now allowable. Therefore, new claims 16 and 17 are similarly allowable.

#### *New Claims 18-23*

Applicant has added new independent claim 18 and dependent claims 19-23. Support for claims 18-23 may be found generally throughout the application as filed. No new matter is added. Applicant believes new claim 18 is allowable for at least reasons similar to those stated above. New claims 19-23 depend from new claim 18. Applicant believes new claims 19-23 are similarly allowable for at least the reasons stated above.



### Conclusion

The above amendments and remarks are believed to fully address the Examiner's rejections, and to place the entire application in condition for allowance. A prompt indication of the same is respectfully requested. The Examiner is encouraged to telephone the undersigned if any issues remain that may be resolved by a telephonic interview.

### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: MAIL STOP: AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on September 6, 2005.

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Respectfully submitted,

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